

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

IN THE MATTER OF BULLY 1 (SWITZERLAND) GMBH, AS OWNER, AND NOBLE DRILLING (U.S.) LLC, AS OWNER <i>PRO HAC VICE</i>, OF THE <i>GLOBETROTTER II</i>	CIVIL ACTION NO. 22-566 JUDGE ROBERT R. SUMMERHAYS MAGISTRATE JUDGE CAROL B. WHITEHURST
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**ORDER APPROVING LIMITATION PETITIONERS' SECURITY,
DIRECTING ISSUANCE OF NOTICE TO CLAIMANTS
AND RESTRAINING PROSECUTION OF CLAIMS**

WHEREAS, a Verified Complaint in Limitation having been filed herein on February 25th, 2022, by Bully 1 (Switzerland) GmbH (hereinafter referred to as “Bully 1”), as Owner, and Noble Drilling (U.S.) LLC (hereinafter referred to as “Noble Drilling”), as Owner *Pro Hac Vice*, of the *GLOBETROTTER II* (collectively referred to as “Petitioners”), claiming the benefit of exoneration from or limitation of liability, civil and maritime, within the admiralty and maritime jurisdiction of this Honorable Court, pursuant to 28 U.S.C. § 30501, *et seq.*, Rule 9(h) of the Federal Rules of Civil Procedure and Rule F of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (“Supplemental Admiralty Rules”), and also contesting the liability of Petitioners for any and all losses, damages, injuries and destruction done or occasioned during the voyage of the *GLOBETROTTER II* on or about August 29, 2021, as described in the Complaint, also stating the facts and circumstances upon which the said limitation of and/or exoneration from liability is claimed, and from which it appears that the value of Petitioners’ interest in the *GLOBETROTTER II* and pending freight, if any, did not exceed the sum of THIRTY-NINE

MILLION, SIX HUNDRED NINETEEN THOUSAND, TWO HUNDRED SEVENTY-FIVE 00/100 (\$39,619,275.00) U.S. DOLLARS, and it appearing that claims may be made against Petitioners for losses, damages, injuries, contractual issues, and/or destruction alleged to have incurred in consequence of the events alleged during the voyage on which the vessel was engaged; and

WHEREAS Petitioners have filed and submitted an *Ad Interim* Stipulation accompanied by an executed Letter of Undertaking, constituting approved security in the sum of THIRTY-NINE MILLION, SIX HUNDRED NINETEEN THOUSAND, TWO HUNDRED SEVENTY-FIVE 00/100 (\$39,619,275.00) U.S. DOLLARS, together with interest, at the applicable rate per annum, all as required by the rules of this Court and the law;

NOW, on motion of Kean Miller LLP, Attorneys for Petitioners herein;

IT IS ORDERED that the Letter of Undertaking submitted by Petitioners' underwriters, Assuranceforeningen SKULD (Gjensidig) in the amount of THIRTY-NINE MILLION, SIX HUNDRED NINETEEN THOUSAND, TWO HUNDRED SEVENTY-FIVE 00/100 (\$39,619,275.00) U.S. DOLLARS with interest, representing Petitioners' interest in the *GLOBETROTTER II* and her pending freight, if any, be accepted as security under Rule F(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims, as well as the Federal Rules of Civil Procedure for purposes of this Limitation proceeding and that it be hereby approved as to form, quantum and surety; and

IT IS FURTHER ORDERED that any claimant who may properly become a party hereto may contest the amount or value of Limitation Petitioners' interest in the *GLOBETROTTER II* and her pending freight, if any, and may move the Court for new appraisal of the said interest and may

apply to have the amount increased or diminished, as the case may be, on determination of the Court; and

IT IS FURTHER ORDERED that the further prosecution of any pending actions, suits or legal proceedings in any court whatsoever, and the institution and prosecution of any suits, actions or legal proceedings of any nature and description whatsoever in any court, wheresoever, except in this proceeding for limitation of liability, against Petitioners, its controllers, underwriters, the *GLOBETROTTER II*, in respect to any claim arising out of or in connection with the voyage of the *GLOBETROTTER II* on or about August 29, 2021, be and the same are hereby stayed and restrained until the hearing and determination of this action, and all warrants of arrests issued in such other suits, actions or legal proceedings be and the same are hereby dissolved; and

IT IS FURTHER ORDERED that a Notice issue out of and under the seal of this Court to and against all persons or concerns claiming damages for any and all losses or damages arising out of the voyage on which the *GLOBETROTTER II* was allegedly engaged on or about August 29, 2021, admonishing them and each of them to appear and file their respective claims with the Clerk of this Court, and to serve on or mail to the Attorneys for Petitioners a copy thereof on or before the **14th day of April, 2022**, and to make due proof of their claims, subject to the right of any such person or persons to controvert or question said claims, with liberty also, to any such claimants who have duly filed their claims to answer the Complaint therein and to file such answers on or before the date heretofore specified; and

IT IS FURTHER ORDERED that public notice of said notice shall be given publication in the newspaper known as *The Daily Advertiser*, and that such notice shall be published once a week for four successive weeks, prior to the date fixed herein, for the filing of claims; and

IT IS FURTHER ORDERED that not later than the date of the second publication of said notice, Petitioners shall cause to be mailed a copy of the said notice to every person or concern known to have made any claim that remains outstanding against the *GLOBETROTTER II*, or against Petitioners, arising out of the voyage on which said vessel was engaged; and

IT IS FURTHER ORDERED that service of this Order as a Restraining Order be made within this district, or in any other district by counsel for Petitioners and/or the U.S. Marshal for such district, by delivering a copy of this Order to the person or persons to be restrained, or to his or their attorneys.

Lafayette, Louisiana, this 4th day of March, 2022.



UNITED STATES DISTRICT JUDGE